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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA, ) No. CR 06-548 MMC  
15 Plaintiff, )  
16 v. )  
17 WASSIM AZIZI, )  
18 Defendant. )  
19

STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE TRIAL THREE  
WEEKS

20 With the agreement of the parties, and the consent of the defendant, Wassim Azizi,  
21 the parties hereby request the Court to continue the trial in this matter, currently  
22 scheduled for April 14, 2008, to three weeks later, May 5, 2008.

23 1. When the Court first set the matter for trial in November, counsel for the  
24 government informed your Honor of an upcoming trip to Australia and New Zealand for  
25 most of the month of March, with a return date of March 28<sup>th</sup>. The trip had been planned  
26 months earlier in 2007 and coincided with a sabbatical that counsel's husband had earned  
27 at his employment.

28  
STIPULATION AND ORDER  
TO CONTINUE TRIAL DATE  
CR 06-548 MMC

1       2. At the time, the parties could not set the trial in May due to the  
2 unavailability of defense counsel. Because government counsel specializes in the  
3 prosecution of environmental crimes, she felt it was incumbent for her to try the case.  
4 Thus, she agreed to an April date. Due to the Court's calendar at the time, which  
5 included a trial in early May, the Court set the trial date for April 14, 2008 –only two  
6 weeks after government counsel's return from New Zealand.

7       3. Defense counsel is now available to try the case in early May and does not  
8 object to the proposed continuance.

9       4. Government counsel's caseload has increased significantly since early  
10 November, including a matter that involves the detention of material witnesses from a  
11 foreign country. Continuance of the trial date will not only allow government counsel  
12 adequate time for trial preparation in this matter, but will also allow government counsel  
13 to attend to this other matter in the interim.

14       5. Government counsel spoke with the Court's clerk, who stated that the trial  
15 originally scheduled for early May in this Court had been vacated, and that the Court was  
16 now available May 5 for trial in this matter, should the Court grant the continuance.

17       6. This request is the first request for a continuance by the parties.

18       7. The parties agree to an exclusion of time from April 14, 2008 to May 5,  
19 2008 to allow for effective preparation and continuity of counsel, pursuant to Title 18  
20 U.S.C. § 3161(h)(8)(B)(iv).

21           Accordingly, and with the consent of the defendant, the Court orders that 1) the  
22 April 14, 2008 trial date is vacated, and trial is now set for Monday, May 5, 2008; 2) the  
23 period from April 14, 2008 to May 5, 2008 is to be excluded from Speedy Trial Act  
24 calculations under 18 U.S.C. § 3161(h)(8)(B)(iv); and 3) the pretrial schedule shall be as  
25 follows:

26           a. Pretrial conference shall be scheduled for Tuesday, April 22, 2008.  
27           b. The parties shall submit pretrial pleadings, including trial memoranda, jury

1           instructions, verdict forms, voir dire questions, exhibit lists, and witness  
2           lists by Tuesday, April 15, 2008.

3           c. Any motions in limine shall be filed by April 1, 2008, and any oppositions  
4           to said motions shall be filed by April 8, 2008.

5           IT IS SO STIPULATED.

7           DATED: February 8, 2008

/S/ Stacey P. Geis  
STACEY P. GEIS  
Assistant U.S. Attorney

9           DATED: February 8, 2008

/S/ Julia M. Jayne  
JULIA M. JAYNE  
Counsel to Wassim Azizi

11           IT IS SO ORDERED.

13           DATED: February 11, 2008

  
THE HONORABLE MAXINE M. CHESNEY  
United States District Judge